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UNITED STATES DELEGATION
TO THE
MINISTERIAL MEETING OF THE NORTH ATLANTIC COUNCIL
Washington, D. C , April 2-4, 1959

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MEMORANDUM OF CONVERSATION

APPROVED CAN 4/13/59

Date: April 2, 1959

Time: 8:30-9:00 a.m.

Place: Acting Secretary's
Office

Participants:

United States

The Acting Secretary
Mr. Murphy
Mr. Merchant
Amb. Burgess
Mr. Timmons

NATO

Mr. Paul-Henri Spaak, Secretary-General, NATO
Mr. Aubrey Casardi, Deputy Secretary-General, NATO
Sir Evelyn Shuckburgh, Assistant Secretary-General
for Political Affairs, NATO

Subject: Berlin and Germany.

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1. The Acting Secretary welcomed the Secretary-General to Washington.
2. The first item of business discussed was the procedure by which the Foreign Ministers of the US, UK, France and the Federal Republic would report to the North Atlantic Council on the results of the Tripartite and Quadripartite Foreign Ministers' meetings held on March 31 and April 1. The suggested arrangements previously communicated to Sir Evelyn Shuckburgh by Mr. Timmons were confirmed, viz., the French Foreign Minister would be called on first by M. Spaak and would present an agreed report on contingency planning. He would be followed by the British Foreign Secretary, who would make an agreed report on the Western position on German reunification, European security and Berlin. The Acting Secretary would then be called on and would open the discussion with a general survey of the Communist threat around the world, with special reference to Berlin. M. Spaak indicated that he understood Mr. Lloyd and M. Couve de Murville also planned to make statements today on Berlin and Germany, and perhaps Herr von Brentano as well. M. Spaak said that other Council members might then wish to speak; if not, he would suggest further discussion be put over until the morning of April 3 to give Ministers time to reflect on the agreed reports and on the statements made.

3. M. Spaak

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3. M. Spaak said that with respect to the agreed report by M. Couve de Murville, no verbatim record would be kept, but suggested that the Secretariat should keep a verbatim record of the statement by Mr. Lloyd which would not be circulated, but rather deposited with the Political Division of the International Staff where it could be consulted by delegations. It was indicated to M. Spaak that one copy of both the Couve and Lloyd statements would be made available to the Secretary-General, and that both could be consulted by delegations. M. Spaak agreed this obviated the need for any separate verbatim record being taken by the International Staff of the Lloyd statement.

4. The Acting Secretary then briefed M. Spaak on the main points that had emerged during the quadripartite talks, pointing out that a number of important points were being referred again to the Working Group for further study. M. Spaak offered some general observations, which may be summarized as follows:

(a) The present indecision on the part of the Government of the German Federal Republic constitutes a major problem for the West.

(b) The key question for the West is what position do we take if there is no German reunification. For example, we must be clear whether there can be any European security arrangements separate from German reunification.

(c) The "ridiculous" position the West would find itself in in discussing a peace treaty with Germany. Almost all questions have already in fact been settled, and the Federal Republic has already been received formally as an ally into the Western Alliance. The only "peace treaty" question remaining is that of frontiers. If Ulbricht were to sign a separate peace treaty with the USSR, the East German regime would find itself in a very difficult position before German opinion, having accepted "war responsibility" clauses, etc.

(d) The West must maintain its troops in Berlin.

(e) The present basis of Western legal rights in Berlin, namely, the rights of conquest, would not sound well in the United Nations if the Berlin issue is raised there. The UN certainly cannot find a solution to the Berlin crisis, although it might "bless" a solution arrived at in some other way. The West must prepare its "legal dossier" on Berlin.

5. The Acting Secretary commented that the British Government has not made clear what they have in mind in the way of a possible new contractual arrangement for the Western position in Berlin. It can only be judged when it is seen, but we are skeptical of the feasibility or desirability of such arrangement.

6. In response to a question from Mr. Murphy as to what type of modus vivendi for Berlin Spaak himself tended to prefer, M. Spaak replied that he was thinking of the need for some sort of a new statute for Berlin, since the occupation basis "has lost its force" after fifteen years. There was some discussion of a point made

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made by M. Spaak that it seemed inconsistent for the West to base its presence in Berlin on the right of conquest and at the same time deny that the Soviets could divest themselves unilaterally of their responsibilities. The Acting Secretary pointed out that our position is that the Soviets cannot transfer any of their rights and responsibilities to the East German regime. M. Spaak said that at base the question of Berlin is of course a political and not really a legal question.

7. A final point mentioned by M. Spaak, which he said had been raised with him by some Ministers, was the question of the desirability of a Council meeting at the Ministerial level after the next meeting of the Four Foreign Ministers, presently scheduled for April 29. It was noted that before the Geneva Conference of 1955 the Three Western Powers had met with the Permanent Council, and that this could again be the pattern, although Ministers would of course be free to attend. M. Spaak asked that we reflect further on the matter, as it might arise in the Ministerial meeting tomorrow or Saturday.

Concurrence:

EUR - Mr. Merchant (in draft) *BM*

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